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AMAZON.COM, INC. and AMAZON TECHNOLOGIES, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

AMAZON.COM, INC., a Delaware corporation,
and AMAZON TECHNOLOGIES, INC.,

Plaintiff,

v.

UMER WASIM, et al.,

Defendants.

Case No. 3:23-cv-05580-DMR

**SUPPLEMENTAL DECLARATION OF
EMILY GOODELL IN SUPPORT OF
MOTION FOR ALTERNATIVE
SERVICE**

I declare under penalty of perjury under laws of the State of California that the foregoing is true and correct.

1. I am over the age of eighteen and am competent to testify as to the matters set forth herein. I have personal knowledge of the facts in this declaration, and base this declaration on my personal knowledge.

2. I work for the law firm Davis Wright Tremaine (“DWT”), which represents Plaintiffs Amazon.com, Inc. and Amazon Technologies, Inc., in this matter.

3. I make this declaration in response to the Court’s Order, ECF No. 51, directing Plaintiffs Amazon.com, Inc. and Amazon Technologies, Inc. (collectively, “Amazon”) to submit a declaration providing additional information concerning Amazon’s attempts to serve Defendants Muhammad Usman Khan, Yasir Agar, Muhammad Shiraz Quereshi, and Mavia Nizam, and to provide the Court with an update on the service attempts referenced in ECF No. 16-1, Paras. 8 and 9, facts relating to Pakistan’s service requirements with respect to the documents being served, and how those requirements were met.

4. Upon Amazon’s information and belief, Defendants Qureshi, Nizam, Khan, and Nizam reside in Pakistan.

5. **Muhammad Usman Khan** is a Defendant in this action.

6. On November 8, 2023, the Court issued a summons to Muhammad Usman Khan at the address 1221 W 3rd Street, Apt. 502, Los Angeles, CA 90017 (ECF No. 12).

7. The requested address for the summons for Muhammad Usman Khan was made in error. The address 1221 W 3rd Street, Apt. 502, Los Angeles, CA 90017 is the address for Muhammad Zubair Khan, another Defendant in this case with a similar name. Amazon does not have any information that this address is linked to Muhammad Usman Khan, and therefore never attempted to serve Muhamad Usman Khan at this address.

8. Amazon obtained an address for Muhammad Usman Khan at 13116 Peach Leaf Place, Fairfax, VA 22030 from the publicly filed Articles of Incorporation for co-Defendant VTLOGODESIGN Inc. (ECF 16-1, Ex. A at 2). The same address for Muhammad Usman Khan was listed on the Articles of Incorporation for co-Defendant MK Affiliates Inc.;

1 Muhammad Usman Khan was also the incorporator for MK Affiliates Inc. (ECF No. 16-1, Ex. A
2 at 4).

3 9. Amazon directed personal service on Muhammad Usman Khan at 13116 Peach
4 Leaf Place, Fairfax, VA 22030. On November 15, 2023, I received a response from process
5 server Mark Hagood that on November 15, 2023, at 10:17 am, he spoke with a male, “Rahn” at
6 13116 Peach Leaf Place, Fairfax, VA 22030 “who stated the individual we are seeking has not
7 lived here for several years. He stated he is [*sic*] lives in California.” (ECF No. 30).

8 10. I searched online, and also requested that my firm’s research librarians search
9 public records, and was not able to identify any California address linked to Usman Khan.

10 11. Service of defendant entities VTLOGODESIGN Inc., and MK Affiliates Inc.,
11 which were incorporated by Muhammad Usman Khan, and list Muhammad Usman Khan as the
12 officer and/or director was also attempted at the addresses 1317 Edgewater Drive #6151,
13 Orlando, FL 32804, 1317 Edgewater Drive #156, Orlando, FL 32804, and 250 Intl Pkwy 108,
14 Lake Mary, FL 32746. (ECF No. 22; 21). Muhammad Usman Khan was not present at either
15 location.

16 12. In a further effort to locate an address for Muhammad Usman Khan, I found and
17 reviewed a document filed in the United States District Court in the Middle District of Florida,
18 case 6:22-cv-00798-PGB-GJK, that indicates that “United States’ counsel at the Federal Trade
19 Commission conferred with Defendant Muhammad Usman Khan by phone and email.” (ECF No.
20 16-1, Ex. B). In that court filing, Attorney Ellen Bowden McIntyre certified that defendants,
21 including Muhammad Usman Khan, were being served by electronic mail and U.S. Mail on April
22 26, 2022 to email addresses mkkhan@voipterminator.com, and usman@khans.pk, and a physical
23 address in Pakistan, House Number 1301 Service Road D121, Islamabad, Pakistan. *Id.*

24 13. I reviewed Amazon.com business records indicating that an account using the
25 name “vtlogodesign inc” [*sic*] and email address vtlogodesignincamz@gmail.com was registered
26 on July 25, 2022. Both addresses and payment methods on the account are listed with the names
27 “VTLOGODESIGN, INC”, and “Muhammad Usman Khan.” The addresses listed on the
28

1 account in the name “Muhammad Usman Khan” are 13116 Peach Leaf Place, Fairfax, VA 22030
2 and House No. 465, Street 8, G10-1, Islamabad, Pakistan.

3 14. The Ministry of Justice in Pakistan has declared that it formally objects to the
4 service of process by private individuals and has designated the Hague Service Convention,
5 through Pakistan’s designated central authority, as the authorized method of service within its
6 territory. (*See* Ex. A, Decl. of Celeste Ingalls (“Ingalls Decl.”) ¶ 11.).

7 15. Amazon retained Alan H. Crowe & Associates (Crowe Foreign Services) to
8 attempt service on Muhammad Usman Khan and other Defendants in this case located in
9 Pakistan through the Hague Service Convention.

10 16. Article I of the Hague Convention requires a plaintiff requesting service on a
11 foreign defendant to provide a valid address in order for service to be attempted. (*Id.* ¶ 7).

12 17. On November 28, 2023, Crowe Foreign Services submitted formal Hague
13 Request documents, and service documents to the Central Authority for Pakistan to be served
14 upon Muhammad Usman Khan at the two addresses found in the court filing from the U.S.
15 District Court for the Middle District of Georgia and Amazon’s business records associated with
16 Muhammad Usman Khan: House No. 465, Street 8, G10-1, Islamabad, Pakistan and House No.
17 1301 Service Road D121, Islamabad, Pakistan. (*Id.* ¶ 11).

18 18. The terms of the Hague Convention do not require signatory nations to provide
19 updates as to the status of service or an obligatory time frame by which service must be
20 completed. (*Id.* ¶ 13). Based on Crowe Foreign Service’s experience, the time to complete
21 service to Pakistan-based defendants through the Hague Convention varies, but averages
22 approximately 8 months. (*Id.* ¶ 14). Amazon has not received any indication that Muhammad
23 Usman Khan has been served in Pakistan through the Hague Service Convention as of February
24 26, 2024.

25 19. **Yasir Agar** is a Defendant in this action.

26 20. In an attempt to obtain an address for Yasir Agar, I reviewed an Amended
27 Complaint filed in relation to UDRP Decision FA2307002053542, which lists the registrant for
28 amazonkdpublishers.com, as “Yasir Agar” with a contact email address of

yasir@smartstartupsolutions.com, and physical address of “Zulekha palace, BMCHS, Karachi, Sindh 74800, PK.”

21. On November 8, 2023, the Court issued a summons to Yasir Agar at the address Flat 402, 4th Floor, Zulekha Palace, Plot #15, BMCHS, Sharfabad, Karachi, PK 74800. (ECF No. 12).

22. On September 28, 2023, a representative from Crowe Foreign Services informed me that a hired investigator was able to confirm the addresses provided for an individual with the name Yasir Agar at Flat 402, 4th Floor, Zulekha palace, Plot #15, BMCHS, Sharfabad, Karachi, PK.

23. On November 28, 2023, on Amazon’s behalf Crowe Foreign Services submitted formal Hague Request documents, and service documents to the Central Authority for Pakistan to be served upon Yasir Agar at the address Zulekha Palace, Flat 402, 4th Floor, Plot #15, BMCHS, Sharfabad, Karachi, Pakistan. (Ingalls Decl. ¶ 10).

24. The terms of the Hague Convention do not require signatory nations to provide updates as to the status of service or an obligatory time frame by which service must be completed. (*Id.* ¶ 13). Based on Crowe Foreign Service’s experience, the time to complete service to Pakistan-based defendants through the Hague Convention varies, but averages approximately 8 months. (*Id.* ¶ 14). Amazon has not received any indication that Yasir Agar has been served in Pakistan through the Hague Service Convention as of February 26, 2024.

25. **Muhammad Shiraz Qureshi** is a Defendant in this action.

26. In an attempt to obtain address for Muhammad Shiraz Qureshi, I reviewed Amazon.com, Inc. business records, which indicate that an account using the name “Muhammad Shiraz qureshi” [*sic*] and email address shiraziqureshi@gmail.com was registered on August 28, 2018. A mailing address added to the account with the name “M Shiraz Qureshi” is n-121 Pechs Block 2, Karachi, Sindh, PK.

27. On November 8, 2023, the Court issued a summons to Muhammad Shiraz Qureshi at the address N-121 PECHS, Block 2, Karachi, PK 74400. (ECF No. 12).

28. On September 28, 2023, a representative from Crowe Foreign Services informed me that a hired investigator was able to confirm the addresses provided for an individual with the name Muhammad Shiraz Qureshi at n-121 Pechs Block 2, Karachi, PK.

29. On November 28, 2023, on Amazon's behalf Crowe Foreign Services submitted formal Hague Request documents, and service documents to the Central Authority for Pakistan to be served upon Muhammad Shiraz Qureshi at the address N-121 PECHS, Block 2, 2nd Floor, Karachi, Pakistan. (Ingalls Decl. ¶ 10).

30. The terms of the Hague Convention do not require signatory nations to provide updates as to the status of service or an obligatory time frame by which service must be completed. (*Id.* ¶ 13). Based on Crowe Foreign Service's experience, the time to complete service to Pakistan-based defendants through the Hague Convention varies, but averages approximately 8 months. (*Id.* ¶ 14).

31. As set forth in my prior declaration in support of Amazon's Motion for Alternative Service, in addition to attempting service on Qureshi through the Hague Service Convention on October 31, 2023 I sent correspondence via registered email to Qureshi at creativestudio4@gmail.com and shiraziqureshi@gmail.com. (ECF No. 16-1, Goodell Decl. ¶ 27).

32. On February 20, 2024, I received a call from an individual who identified himself as Muhammad Shiraz Qureshi. Mr. Qureshi said that he had received the email that was sent to him containing the complaint last fall but did not respond, and said that he received a notification on his doorstep in Pakistan three days ago. I said that I would send a follow-up email after our call, and Mr. Qureshi requested that I send the email to the emails previously used, creativestudio4@gmail.com, and shiraziqureshi@gmail.com.

33. On February 26, 2024, I received another phone call from the individual who identified himself as Muhammad Shiraz Qureshi, and a response to an email that I sent to creativestudio4@gmail.com and shiraziqureshi@gmail.com on February 20, 2024.

34. As of February 26, 2024, I have not received a proof of service confirming that Muhammad Shiraz Qureshi was served through the Hague Service Convention, but I believe the

notification that was described to me in the phone call from Mr. Qureshi pertains to the Hague Service documents.

35. **Mavia Nizam** is a Defendant in this action.

36. I reviewed an Amended Complaint filed in relation to UDRP Decision FA2305002043019, which lists the registrant for amazondigitalpro.com as “mavia nizam” [sic] and amazonpublisherpro.com as “Ali Alam”, both with a contact email address of mavianizam96@gmail.com. The contact address for “mavia nizam” [sic] is “1/22 Shah Faisal Colony Karachi, Karachi, Sindh 75700, PK.”

37. On November 8, 2023, the Court issued a summons to Mavia Nizam at the address 1/22 Shah Faisal Colony, Karachi, PK 75700. (ECF No. 12).

38. I have reviewed Amazon.com, Inc. business records indicating that an account using the name “ma” [sic] and email address mavianizam96@gmail.com was registered on April 4, 2019. The sole address added to the account was added with the name “mavia nizam”, and is 1/22 Shah Faisal Colony, Karachi, Pakistan.

39. I searched public records online, but was unable to determine any other physical address linked to Mavia Nizam at which Amazon could attempt service.

40. I also directed an investigator from Crowe Foreign Services to search for a service address for Mavia Nizam.

41. On November 3, 2023, a representative from Crowe Foreign Services informed me that a hired investigator was not able to locate the address provided for Mavia Nizam, 1/22 Shah Faisal Colony, Karachi, Pakistan, nor confirm any other service address for Mavia Nizam. Because no address for Mavia Nizam could not be validated, under the terms of the Hague Service Convention personal service in Pakistan could not be attempted.

42. Therefore, Amazon has no viable address at which to attempt service on Mavia Nizam other than the email address in Amazon’s business records.

Executed this 26th day of February, 2024 in Seattle, Washington.

By: s/ Emily Goodell
Emily Goodell

EXHIBIT A

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

AMAZON.COM, INC. and
AMAZON TECHNOLOGIES, INC.,

Plaintiffs,

v.

UMER WASIM, et al.,

Defendants.

Case No.: 4:23-cv-5580 DMR

AFFIDAVIT OF CELESTE INGALLS

OREGON)
) ss.
County of Multnomah)

I declare that I, Celeste Ingalls, am a citizen of the United States, over the age of twenty-one, not a party nor an attorney for any party in this action, and state the following:

1. I am employed by Alan H. Crowe & Associates, Inc. dba Crowe Foreign Services, 733 SW Vista Avenue, Portland, Oregon, and have specialized in the service of civil process in foreign countries for more than 28 years.
2. I have lectured to state/county bar, and other professional, associations on the mechanics and requirements of process service in foreign countries.
3. Since 2003, I have attended all the Special Administrative Sessions of the Hague Conference in The Hague, Netherlands for the Hague Service Convention as a private expert. At these sessions, signatory countries are represented by their respective Judicial Authorities to discuss their country's interpretations and practical mechanics of, as well as problems encountered in dealing with, the Hague Service Convention and its obligations.

4. I have participated with the Hague Administration in a “training” session presided over by the Hague Administration to provide guidance to a foreign Central Authority and its courts on their practical obligations with respect to service under the provisions of the Hague Service Convention. At this session, it was agreed by the Hague Administration that each signatory country has the discretion to interpret the Convention articles in a way that conforms to their internal law.

5. The United States and Pakistan are both signatory to the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, Done at the Hague, November 15, 1965, (Hague Service Convention).

6. In accordance with Rule 4 (f)(1), of the Federal Rules of Civil Procedure, service outside the United States shall be subject to the provisions of the Hague Service Convention.

7. For the Hague Service Convention to be invoked, Article 1 of the Hague Service Convention requires that a valid address for service be provided.

8. Complete addresses for various Pakistan defendants needed to be found and verified before service could be initiated. Skip trace investigations, which are difficult in Pakistan, were started on August 21, 2023. There are no personal information databases in Pakistan and most government records are not legally available to the public.

9. Our investigators on the ground in Pakistan searched various agencies and physical searches of the possible address options, including interviews with various potential neighbors, etc., until actual addresses were found. This required a “stop and start” method. All processes for the addresses that needed verification in Pakistan were completed on November 3, 2023.

10. On November 17, 2023, Crowe Foreign Services was retained to formally serve process upon the following defendants:

Muhammad Shiraz Qureshi at the address of:
N-121 PECHS, Block 2, 2nd Floor, Karachi, PK 74400

Muhammad Usman Khan at the address 1 of:
House No. 465, Street 8, G10-1, Islamabad, Pakistan, 44000

Muhammad Usman Khan the address 2 of:
House No. 1301 Service Road D121, Islamabad, Pakistan

Yasir Agar at the address of:
Zulekha Palace, Flat 402, 4th Floor, Plot #15, BMCHS, Sharfabad,
Karachi, PK 74800

11. The Ministry of Justice in Pakistan has declared that it formally objects to the service of process by private individuals and has designated the Hague Service Convention, through Pakistan's designated central authority, as the authorized method of service within its territory.

12. On November 28, 2023, the formal Hague Request documents, Summons in a Civil Action, with Attachment, Order Setting Initial Case Management Conference, Complaint, Standing Order for Magistrate Judge Donna M. Ryu, and Consent or Declination to Magistrate Judge Jurisdiction, were submitted to the Central Authority for Pakistan to be served upon **Muhammad Shiraz Qureshi, Muhammad Usman Khan, and Yasir Agar** in accordance with the Hague Service Convention.

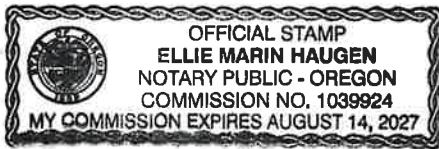
13. No signatory nation is obligated under the Hague Service Convention to provide status with respect to service of documents in its possession and the Pakistan courts generally do not. In addition, the Hague Service Convention does not impose an obligatory time frame.

14. Previous turnaround time frames for service in Pakistan have widely varied, from a rare occurrence of 4 months to an average of 8 months that can occasionally exceed one year or more. Therefore, at this time an estimate of how long the above service in accordance with the Hague Service Convention will actually take cannot be calculated.

Signature

Celeste Ingalls

SUBSCRIBED AND SWORN to before me this 23rd day of February 2024.



Ellie Haugen
Notary Public for Oregon